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ILLINOIS REGISTER

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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3) Section Numbers: 670.30                      Emergency Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.5, 2.20, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.5, 2.20, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].
- 5) Effective Date of Emergency Amendment:
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This rule will not expire before the end of the 150-day period.
- 7) Date filed with the Index Department:
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Reason for Emergency: HB3674 was recently passed by the Illinois General Assembly, and signed into law as PA 99-0308, effective August 7, 2015. The new law contains language which, unless clarified by administrative rule, will cause confusion among our constituents and potentially cause inadvertent violations. The Department wants to avoid this, and since the affected hunting season begins October 1, the Department believes an emergency rule change is necessary to best serve the interests of the citizens of Illinois.
- 10) A Complete Description of the Subjects and Issues Involved: This Part is being amended to add young hunters that possess a Youth Hunting License and an archery deer permit to the list of hunters eligible to use a crossbow during the archery deer hunting season; to require that eligible youth who desire to take advantage of the new crossbow regulation must be under the direct supervision of a parent, grandparent, or guardian who is 21 years of age or older; to require that the adult supervisor accompanying the youth (while hunting with a crossbow) must possess both a valid Illinois hunting license and a valid archery permit; and to provide that accompaniment by a parent, grandparent, or guardian

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shall serve as evidence that express permission of an adult was granted to obtain the deer permit.

- 11) Are there any proposed amendments pending on this Part? Yes

<u>Section Number</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
670.20	Amendment	39 Ill. Reg. 8873; July 6, 2015

- 12) Statement of Statewide Policy Objective: This rulemaking will not affect units of local governments.

- 13) Information and questions regarding this amendment shall be directed to:

Robert G. Mool, Legal Counsel  
Department of Natural Resources  
One Natural Resources Way  
Springfield IL 62702-1271

217/782-1809

The full text of the Emergency Amendment begins on the next page:

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TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 670

WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section

670.10	Statewide Open Seasons and Counties
670.20	Statewide Deer Permit Requirements
670.21	Deer Permit Requirements – Landowner/Tenant Permits
670.30	Statewide Legal Bow and Arrow
<a href="#">EMERGENCY</a>	
670.40	Statewide Deer Hunting Rules
670.50	Rejection of Application/Revocation of Permits
670.55	Reporting Harvest
670.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, [2.5](#), 2.20, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, [2.5](#), 2.20, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 5561, effective April 19, 1997;

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amended at 22 Ill. Reg. 7995, effective April 28, 1998; amended at 23 Ill. Reg. 6829, effective May 20, 1999; amended at 24 Ill. Reg. 6908, effective April 20, 2000; amended at 25 Ill. Reg. 7217, effective May 22, 2001; amended at 25 Ill. Reg. 11471, effective August 14, 2001; amended at 26 Ill. Reg. 9356, effective June 17, 2002; amended at 27 Ill. Reg. 10025, effective June 23, 2003; amended at 28 Ill. Reg. 9968, effective July 6, 2004; amended at 29 Ill. Reg. 9761, effective June 24, 2005; amended at 30 Ill. Reg. 12196, effective June 28, 2006; amended at 31 Ill. Reg. 8202, effective May 25, 2007; amended at 32 Ill. Reg. 9337, effective June 13, 2008; amended at 33 Ill. Reg. 11571, effective July 27, 2009; amended at 34 Ill. Reg. 4839, effective March 19, 2010; amended at 35 Ill. Reg. 10739, effective June 23, 2011; amended at 36 Ill. Reg. 13450, effective August 10, 2012; amended at 37 Ill. Reg. 14926, effective August 30, 2013; amended at 38 Ill. Reg. 22752, effective November 18, 2014; amended at 39 Ill. Reg. 10905, effective July 27, 2015; emergency amendment at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_, for a maximum of 150 days.

#### **Section 670.30 Statewide Legal Bow and Arrow** **EMERGENCY**

- a) The only legal hunting devices to take, or attempt to take, deer are:
  - 1) Vertical bows, limited to longbows, recurve bows or compound bows with minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches. Any mechanical device capable of maintaining a drawn or partially drawn position on a vertical bow without the hunter exerting full string tension is illegal.
  - 2) Crossbows, so long as one or more of the following conditions are met:
    - A) If the user is a person age 62 and older with a valid photo ID containing proof of age [\[520 ILCS 5/2.5\]](#); or
    - B) If the user is a disabled person to whom the Department has issued a permit to use a crossbow as provided by 17 Ill. Adm. Code 760 [\[520 ILCS 5/2.5\]](#); or
    - C) If the date is between the second Monday following the Thanksgiving holiday through the last day of the archery deer hunting season (both inclusive) [\[520 ILCS 5/2.5\]](#); or-

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- D) If the user possesses a valid Youth Hunting License and archery deer hunting permit, and remains under the direct supervision of a parent, grandparent, or guardian who is 21 years of age or older and who possesses a valid Illinois hunting license and valid archery deer permit. Accompaniment by a parent, grandparent, or guardian shall serve as evidence that express permission of an adult was granted to obtain the deer permit [520 ILCS 5/2.5a and 520 ILCS 5/3.1-9].
- b) Broadheads must be used for archery deer hunting. Broadheads may have fixed or expandable cutting surfaces, but they must be a minimum  $\frac{7}{8}$  inch in diameter when fully opened. Broadheads with fixed cutting surfaces must be metal or flint-, chert- or obsidian-knapped; broadheads with expandable cutting surfaces must be metal. Nothing in this subsection shall be construed to prohibit the possession of arrows with field tips or blunt tips for the purpose of legally taking small game or for target practice during the course of the hunt, but those arrows may not be used in any attempt to take deer.
- c) Specifications for legal crossbows and bolts are contained in 17 Ill. Adm. Code 760.
- d) All other hunting devices, including electronic arrow tracking devices utilizing radio telemetry, are illegal. It is unlawful to carry any firearm or sidearm while hunting deer with a bow and arrow.
- e) Use of an unlawful device is a Class B misdemeanor (see 520 ILCS 5/2.24), except that unlawful use of a crossbow is a Class A misdemeanor with a minimum \$500 and maximum \$5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(o)).

(Source: Emergency Amendment at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_, for a maximum of 150 days)